

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WATERKEEPER ALLIANCE INC.,

Plaintiff,

-against-

SPIRIT OF UTAH WILDERNESS, INC.,

d/b/a GREAT SALT LAKEKEEPER, or

GREAT SALT LAKE WATER KEEPERS,

Defendant.

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NELSON S. ROMÁN, United States District Judge:

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>2/7/2023</u>
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10-cv-1136 (NSR)

ORDER

Plaintiff Waterkeeper Alliance, Inc. (“Plaintiff”) commenced this action on February 11, 2011 asserting claims against Defendant Spirit of Utah Wilderness, Inc. (“SUW” or “Defendant”) and its officers for, *inter alia*, trademark infringement. On May 8, 2015, the Court issued a Default Judgment and Order (ECF No. 100), after the Court found that Defendant had infringed upon Plaintiff’s marks. The Court issued a contempt order on October 2, 2017 against SUW and Jeffrey Salt (“Mr. Salt”, an officer and principal of SUW) for failure to comply with the Court’s Default Judgment and Order. (ECF No. 135.) A second contempt order was issued on April 5, 2019 for failure to comply with the Court’s prior orders. (ECF No. 160.)

By Opinion and Order, dated January 22, 2020, this Court granted Plaintiff’s motion seeking to hold Defendant SUW and its officers, specifically Mr. Salt, in further contempt and for an order of imprisonment. (ECF No. 171.) Pursuant to that Opinion and Order, the Court directed Jeffrey Salt to surrender to the United States Marshal for the Southern District of New York, located at 300 Quarropas Street, White Plains, New York, on March 23, 2020 by 2:00 pm to be incarcerated until such time as he purged Defendant SUW and himself of the contempt. (*Id.*) Since

March 23, 2020, the Court had granted Mr. Salt fourteen extensions to the deadline for his surrender. (ECF Nos. 183, 187, 189, 194, 201, 205, 209, 213, 218, 225, 227, 231, 234, & 239.)

On October 22, 2021, the Court ordered Mr. Salt to show cause in writing by November 12, 2021 why the Court should not issue a warrant for his arrest pursuant to 18 U.S.C. § 401. (ECF No. 246.) On November 12, 2021, Mr. Salt submitted a letter motion requesting the Court not issue an arrest warrant. (ECF No. 248.) The letter attached an affidavit discussing Mr. Salt's medical providers. (*Id.*) On November 16, 2021, the Court issued an order stating that although Mr. Salt provided information showing that he is unable to pay the financial penalties imposed by the Court as well as additional information about his medical condition, Mr. Salt failed to provide a good cause basis for failing to comply with the Court's Orders, requiring Mr. Salt to:

- provide Waterkeeper and the Court with a complete list identifying with specificity all instances in which Mr. Salt has used the Waterkeeper Marks after May 8, 2015, including in documents, correspondence, and on the internet; and
- provide answers to any written interrogatories and document requests filed by Waterkeeper with respect to the Affidavit, Defendant's personal finances, and Defendant's compliance with the Orders.

(ECF No. 250.)

The Court issued an arrest warrant and delivered it to the US Marshal Service, which went into effect on April 27, 2022. (*See* ECF No. 263.) On January 20, 2023, the Court issued and delivered an amended arrest warrant directing the US Marshal Service in the District of Utah to effectuate the warrant, because as to the Court's understanding, Mr. Salt's last known residence is in the District of Utah.<sup>1</sup>


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<sup>1</sup> On September 21, 2022, the Second Circuit, by summary order, affirmed the Court's contempt orders and imposition of the imprisonment. (ECF No. 266.)

The US Marshal Service effectuated the arrest on Thursday, February 2, 2023. Jeffrey Salt is remanded to the custody of the US Marshal's Service until Jeffrey Salt fully complies with the Court's prior orders.

Dated: February 7, 2023  
White Plains, NY

SO ORDERED:

  
HON. NELSON S. ROMAN  
UNITED STATES DISTRICT JUDGE